

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRINGS DIVISION

LARRY DAVID DAVIS

PETITIONER

V.

CIVIL NO. 6:18-cv-06125

DEXTER PAYNE, Director,  
Arkansas Department of Correction

RESPONDENT

**ORDER**

The Court has received a Report and Recommendation (ECF No. 21) from United States Magistrate Judge Barry A. Bryant. Petitioner Larry David Davis proceeds *pro se* in his Motion for Leave to Appeal *in forma pauperis* (ECF No. 19). Upon review, the Magistrate recommended that the motion to proceed IFP on appeal should be granted and recommended further that no Certificate of Appealability be granted in this matter because Petitioner has failed to make a substantial showing of any constitutional right. Davis filed timely Objections (ECF No. 23) to the Report and Recommendation. The matter is now ripe for consideration.

The Court has conducted a de novo review of those portions of the report and recommendation to which Davis has objected. 28 U.S.C. § 636(b)(1). Petitioner's objections offer neither law nor fact requiring departure from the Magistrate's findings. The report and recommendation is proper, contains no clear error, and is ADOPTED IN ITS ENTIRETY.

IT IS THEREFORE ORDERED that the Motion (ECF No. 19) should be and hereby is GRANTED.

IT IS FURTHER ORDERED that no Certificate of Appealability shall be granted in this matter.

SO ORDERED this 25th day of May 2020.

/s/Robert T. Dawson

ROBERT T. DAWSON  
SENIOR U.S. DISTRICT JUDGE